

**FILED**

**United States Court of Appeals  
Tenth Circuit**

**UNITED STATES COURT OF APPEALS**

**FOR THE TENTH CIRCUIT**

**October 16, 2012**

**Elisabeth A. Shumaker  
Clerk of Court**

MARTIN EVANS; KATHLEEN EVANS,

Plaintiffs – Appellants,

v.

RECONTRUST COMPANY, N.A.;  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEM, INC.; BANK  
OF AMERICA; THE BANK OF NEW  
YORK MELLON, as Trustee for the  
certificate holders of Alternative Loan  
Trust Series 2003–7T1 Mortgage  
Pass–Through Certificates, Series 2003–17  
by BAC Home Loans Servicing, L.P.,

Defendants – Appellees.

No. 12-4082  
(D.C. No. 2:11-CV-00547-DAK)

**ORDER**

The captioned appeal is dismissed for lack of prosecution pursuant to  
10th Cir. R. 42.1.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk